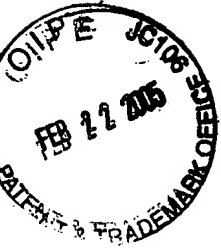


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PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

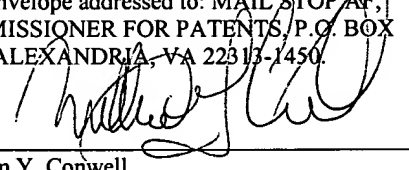
In re application of:
Geoffrey B. Rhoads

Response Under 37 CFR § 1.116
Expedited Procedure
Art Unit 2616

Application No.: 09/804,679
Filed: March 12, 2001
For: MEDIA COMMERCE SYSTEM
EMPLOYING WATERMARKS
Examiner: U. Raman
Date: February 17, 2005

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on February 17, 2005, as First Class Mail in an envelope addressed to: MAIL STOP AF, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.


William Y. Conwell
Attorney for Applicant

RESPONSE AFTER FINAL

MAIL STOP AF
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir,

Regarding the refusal to consider the non-patent references cited in the August 26, 2004 IDS, copies of such art are submitted herewith, together with a Form PTO-1449 listing same.

Consideration of such art, and return of an initialed copy of the enclosed Form PTO-1449 to the undersigned, are solicited.

(Applicant notes that the August 26 IDS submission – without copies of art – was in compliance with Rule 98(d). As explained in the Information Disclosure Statement, such art is of record in application 09/337,590, to which the present application claims priority. As such, no copies were required. Copies are submitted herewith for the Examiner's convenience.)

Regarding the merits of the rejection, a Notice of Appeal will follow shortly.

Date: February 17, 2005

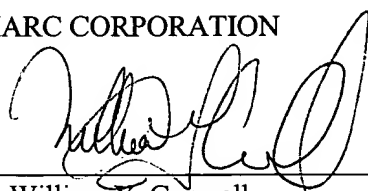
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Respectfully submitted,

DIGIMARC CORPORATION

By


William Y. Conwell
Registration No. 31,943